
STATUTORY INSTRUMENTS

2002 No. 3197

The State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) (No. 2) Regulations 2002

Amendment of the Social Security and Child Support (Decisions and Appeals) Regulations 1999

6. In regulation 7 of the Social Security and Child Support (Decisions and Appeals) Regulations 1999⁽¹⁾ (date from which a decision superseded under section 10 takes effect)—

(a) after paragraph (17A) there shall be inserted the following paragraphs—

“(17B) Subject to paragraph (23), where a claimant who is in receipt of state pension credit or his partner is aged 65 or over, the claimant’s appropriate minimum guarantee includes an amount determined in accordance with Schedule II to the State Pension Credit Regulations and there is a change of circumstances referred to in paragraph (17C), a decision made under section 10 shall take effect—

- (a) on the first anniversary of the date on which the claimant’s housing costs were first met under that Schedule; or
- (b) where the change occurred after the first anniversary of the date referred to in sub-paragraph (a), on the next anniversary of that date following the date of the change.

(17C) Paragraph (17B) applies in a case where a non-dependant commences residing with the claimant or there is an increase in a non-dependant’s income.”.

(b) for paragraph (23), there shall be substituted the following paragraph—

“(23) Where, in any case to which paragraph (14), (17A), (17B) or (18) applies, a claimant has been continuously in receipt of, or treated as having been continuously in receipt of income support, a jobseeker’s allowance or state pension credit, or one of those benefits followed by the other, and he or his partner continues to receive any of those benefits, the anniversary to which those paragraphs refer shall be—

- (a) in the case of income support or jobseeker’s allowance, the anniversary of the earliest date on which benefit in respect of those mortgage interest costs became payable;
- (b) in the case of state pension credit, the relevant anniversary date determined in accordance with paragraph 7 of Schedule II to the State Pension Credit Regulations.”.

Commencement Information

II [Reg. 6](#) in force at 7.4.2003, see [reg. 1\(1\)\(a\)](#)

⁽¹⁾ S.I.1999/991; the relevant amending instrument is S.I. 2002/3019.

Status: Point in time view as at 07/04/2003.

Changes to legislation: There are currently no known outstanding effects for the The State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) (No. 2) Regulations 2002, Section 6. (See end of Document for details)

Status:

Point in time view as at 07/04/2003.

Changes to legislation:

There are currently no known outstanding effects for the The State Pension Credit (Consequential, Transitional and Miscellaneous Provisions) (No. 2) Regulations 2002, Section 6.